REMARKS

Claims 1-20 are pending in the present application. Claim 1 stands rejected. Claims 2-20 are objected to. Claim 1 has been amended by the present amendment.

AMENDMENTS TO CORRECT TYPOGRAPHICAL ERRORS

In reviewing the specification, Applicants noticed some inadvertent typographical errors, which Applicants have attended to correcting with the above amendments to the specification. No new matter is added by the amendments.

REJECTIONS UNDER 35 U.S.C. § 102:

Reconsideration is respectfully requested of the rejection of claim 1 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2004/0046925 to Matsuda.

A.   The Examiner May Not Rely On The Drawings In Matsuda To Show Distance Between The Liquid Crystal Dots

The Examiner maintains that "Figure 13 clearly shows that the dots are separated from each other by an equal distance in both directions." See October 12, 2005 Office Action at 3. Applicants respectfully submit that the Examiner may not rely on Figure 13 to support this disclosure.

When the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value. See M.P.E.P. § 2125 (Rev. 3, Aug. 2005); Hockerson-Halberstadt, Inc. v. Avia Group Int'l, 222 F.3d 951, 956, 55 USPQ2d 1487, 1491 (Fed. Cir. 2000) (The disclosure gave no indication that the drawings were drawn to scale. "[I]t is well established that

patent drawings do not define the precise proportions of the elements and may not be relied on to show particular sizes if the specification is completely silent on the issue.").

Applicants note that the disclosure of Matsuda is silent regarding the distance between the liquid crystal dots shown in Figs. 12 and 13. Therefore, it is improper to reject claim 1 based on the drawings only. Accordingly, for at least this reason, Applicants respectfully submit that claim 1 is not anticipated by the cited reference.

B. Matsuda Does Not Show A First Distance In A First Direction That Is Smaller Than A Second Distance In A Second Direction Between Liquid Crystal Dots

Applicants respectfully submit that Matsuda does not disclose or suggest a first distance in a first direction between liquid crystal dots being smaller than a second distance in a second direction perpendicular to the first direction between the liquid crystal dots, as recited in amended claim 1. Therefore, Applicants respectfully submit that claim 1 is not anticipated by Matsuda.

Claim 1 recites a first distance in a first direction being smaller than a second distance in a second direction. In contrast, even if the Examiner considers that reliance on Fig. 13 is proper, Matsuda at most discloses dots being separated from each other by an equal distance in both directions. (See, Examiner's Comments, October 12, 2005 Office Action at 3).

Since Matsuda does not disclose or suggest the limitations recited in amended claim 1, Applicants respectfully submit that amended claim 1 is not anticipated by Matsuda.

Therefore, Applicants respectfully request that Examiner withdraw the rejection of claim 1 under 35 U.S.C. § 102(e) and that claim 1 is in condition for allowance.

ALLOWABLE SUBJECT MATTER

Applicants gratefully acknowledge the Examiner's indication that claims 2-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants reserve the right to rewrite claims 2-20 in independent form in a subsequent communication or response.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,

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